

MINUTES, LIMESTONE COUNTY COMMISSION, SEPTEMBER 2, 2014

The Limestone County Commission met in a regular meeting today, at 10:00 a.m. at the Clinton Street Courthouse Annex, 100 South Clinton Street, Athens, Alabama.

PRESENT: Gary Daly, Steve Turner, James W. "Bill" Latimer, and Ben Harrison.
Absent: None. Stanley Menefee, Chairman presided.

The meeting began with the Pledge of Allegiance.

MOTION was made by James W. "Bill" Latimer and seconded by Steve Turner to approve the minutes of August 18 & 27, 2014.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Gary Daly and seconded by Ben Harrison to approve the following claims

8/22/14	Check # 29784 – 29841	\$ 474,337.34
8/29/14	Check # 29842 – 29948	<u>\$1,462,892.77</u>
	TOTAL	\$1,937,230.11

with detailed claims of the above being on file for review upon request to the County Administrator.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Steve Turner and seconded by James W. "Bill" Latimer to authorize the Chairman to execute the attached agreement with Garver, LLC to provide Construction Engineering Services for the bridge replacement project on Mooresville Road over French's Mill Creek.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Gary Daly and seconded by James W. "Bill" Latimer to authorize the Chairman to execute a contractual agreement for scrap tire recycling executed between ADEM and the Limestone County Commission to be amended by modifying the existing contract by adding \$10,000 to the contract dollar amount.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

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MOTION was made by Gary Daly and seconded by James W. "Bill" Latimer to authorize the Chairman to execute the following amendment to the Project Agreement for Elkmont Industrial Park Water Tank Grant.

AMENDMENT TO PROJECT AGREEMENT

THIS AMENDMENT TO PROJECT AGREEMENT (the "Amendment") is an amendment to the Project Agreement which was made and entered into by and between the Amendment 666 Bond Commission of the State of Alabama (the "Commission") and the Town of Elkmont and the County of Limestone (collectively the "Recipient") on July 26, 2011 (the "Agreement"). All Terms used in this Amendment shall have the definitions assigned to them by the Agreement unless otherwise provided herein.

RECITALS

WHEREAS, the Recipient has represented to the Commission that Electricfil Corporation currently employs not less than 140 Full-Time Employees (as defined in the agreement) in the Elkmont Industrial Development Park and that Electricfil Corporation expects to meet or exceed 155 Full-Time Employees in the Elkmont Industrial Development Park by December 31, 2014; and

WHEREAS, due to changes of circumstances which have occurred since the execution of the Agreement, the parties find it to be in the best interests of the parties and the citizens of the Town of Elkmont, County of Limestone and the State of Alabama to make certain changes to the Agreement:

NOW THEREFORE, in consideration of these presents and other good and valuable consideration the Parties hereby amend the Agreement as follows:

1. Section 5(a) of the Agreement is hereby amended by adding the following sentence to the end of that section: "The Commission may pay the full amount of the grant to the Town of Elkmont and by so doing the Commission shall have no further obligation to either the Town of Elkmont or County of Limestone under this Agreement."
2. Section 5(b) of the Agreement is hereby amended by adding the following sentence to the end of that section: "The Recipient shall also provide a certificate executed by a representative of Electricfil stating the number of Full-Time Employees employed at the Project on the date of the Request, which number shall not be less than 140."
3. Section 17(a) is hereby amended to read as follows: "(a) If the Recipient receives the sixty thousand dollars (\$60,000) as provided in Exhibit A hereof, but Electricfil fails to employ on or before December 31, 2014 (the Jobs Target Date) at least seventy five (75) new Full-Time Employees at Elkmont Industrial Development Park, while maintaining eighty (80) Full-Time Employees employed at Elkmont Industrial Development Park as of the effective date of the

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Agreement, the average hourly wage for all such employees to be no less than ten dollars (\$10.00) (collectively the "Jobs Target"); the Recipient shall be required to pay to the State of Alabama or its designee eight hundred and no hundredths dollars (\$800.00) for each Full-Time Employee less than the Jobs Target actually employed by Electricfil on the Jobs Target Date."

4. Section 17(b) is hereby amended to read as follows: "If the Recipient has received the sixty thousand dollars (\$60,000) as provided in Section A hereof, the Recipient shall pay to the State of Alabama eight hundred and no hundredths dollars (\$800.00) for each Full-Time Employee (based on the Monthly Average as defined herein), for any year of the period beginning when Electricfil achieves the Jobs Target and ending five (5) years thereafter (the "Jobs Maintenance Period"), that the total number of Full-Time Employees is less than the Jobs Target."

5. Except and only to the extent specifically modified herein, all of the terms and conditions of the Agreement are hereby ratified and confirmed and shall remain in full force and effect. In case of any conflict or inconsistency between the provisions of this Amendment and the Agreement, the terms of this Amendment shall control. The Agreement as amended by this Amendment constitutes the entire agreement and the understanding between the parties with respect to the subject matter hereof and supersedes all other previous and contemporaneous negotiations and agreements between the parties.

WHEREFORE, the parties have executed this Amendment to the Agreement and have caused the Amendment to be executed and delivered by their duly authorized representatives.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by James W. "Bill" Latimer and seconded by Gary Daly to employ the following, pending drug and alcohol screenings.

- Jonathan Russell as Corrections Sergeant
- Karla Lopez as Communications Officer

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Ben Harrison and seconded by Gary Daly to transfer Angela Ferguson as Title Clerk at the License Commission.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

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MOTION was made by Ben Harrison and seconded by James W. “Bill” Latimer to approve Family Medical Leave for Delores Thompson, beginning September 8, 2014 and ending October 27, 2014.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. “Bill” Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Ben Harrison and seconded by James W. “Bill” Latimer to grant permission to install private water lines on the County Right-of-Way:

- Greg & Stacy Nixon, Bernie & Jill Garfinkel along Grigsby Ferry Road & Guy Miller Lane in District 4
- Billy & Brigitte Haggermaker on Abby Lane off Tommy Hill Road in District 4

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. “Bill” Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Gary Daly and seconded by James W. “Bill” Latimer to suspend the Rules of Order to add the following proposal to the agenda.

The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. “Bill” Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Ben Harrison and seconded by Steve Turner to approve the attached proposal from Morell Engineering for materials testing associated with the Courthouse renovations, estimated CMT budget \$6,525.00.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. “Bill” Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

Commissioner Steve Turner stressed the importance of following safety procedures. He stated while the district 2 crew was working on Nick Davis Road, an individual who wasn't paying attention ran through the safety cones on the road.

MOTION was made by Ben Harrison and seconded by James W. “Bill” Latimer to approve the following road improvement project in District 4.

Road Name	Length in miles	Width in feet	Note	Cost
Hawk Ridge Road	0.6	12	Chip Seal	\$5,371.39

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The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

Commissioner Ben Harrison stated the Elk River Mills Road project is complete, except for final stripping. The Shoals Creek Road project has been completed with chip sealing.

Recessed at 10:09 a.m. until 10:00 a.m. on Wednesday, September 10, 2014, at the Washington Street Courthouse Annex, 310 West Washington Street, Athens, AL.